

## **MINUTES**

### **MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON TAXATION**

**Call to Order:** By **CHAIRMAN JIM ELLIOTT**, on February 8, 2007 at 9:00 A.M., in Room 405 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. Jim Elliott, Chairman (D)  
Sen. Jerry W. Black (R)  
Sen. Jeff Essmann (R)  
Sen. Kelly Gebhardt (R)  
Sen. Kim Gillan (D)  
Sen. Dan Harrington (D)  
Sen. Christine Kaufmann (D)  
Sen. Sam Kitzenberg (D)  
Sen. Jim Peterson (R)  
Sen. Bob Story Jr. (R)

**Members Excused:** Sen. Trudi Schmidt (D)

**Members Absent:** None.

**Staff Present:** Lee Heiman, Legislative Branch  
Lois O'Connor, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: None.  
Executive Action: SB 61, SB 231, SB 332, SB 356

00:02:57

**EXECUTIVE ACTION ON SB 61**

**Discussion:**

00:03:44 Sen. Jim Elliott

00:03:54 Sen. Kaufmann

00:04:46 **Motion:** SEN. KAUFMANN moved that SB 61 DO PASS.

00:05:37 Lee Heiman, Staff Attorney, Legislative Services  
Division (LSD)

**Discussion:**

00:07:11 Sen. Elliott

00:07:54 Sen. Jeff Essmann

00:08:06 Sen. Robert Story

00:09:40 Sen. Jim Peterson to Sen. Elliott

00:11:07 Sen. Kelly Gebhardt

00:13:28 Sen. Story

00:13:51 Sen. Elliott

00:14:06 Sen. Story

00:14:52 Sen. Kaufmann

**EXHIBIT** (tas28b01)

00:15:39 Sen. Kaufmann to Sen. Elliott

00:16:27 **Motion:** SEN. KAUFMANN moved that SB 61 be amended with  
amendment #SB006101.ALH. Motion carried on a unanimous  
voice vote. SEN. SCHMIDT and SEN. GILLAN voted aye by  
proxy.

**EXHIBIT** (tas28b02)

00:16:54 **Motion:** SEN. KAUFMANN moved that SB 61 DO PASS AS  
AMENDED.

**Discussion:**

00:17:13 Sen. Story

00:18:17 Sen. Gebhardt

00:19:04 Sen. Peterson to Sen. Elliott

00:19:29 Sen. Story

00:20:51 **Vote: Motion that SB 61 DO PASS AS AMENDED carried 9-2 by roll call vote. SEN. ELLIOTT and SEN. STORY voted nay. SEN. SCHMIDT and SEN. GILLAN voted aye by proxy.**

**Discussion:**

00:22:31 Sen. Elliott

00:23:04 Sen. Story

00:24:00 Sen. Kaufmann

00:24:45 Sen. Kitzenberg

00:24:59 Sen. Peterson to Sen. Elliott

**EXECUTIVE ACTION ON SB 210**

**Discussion:**

00:26:45 Sen. Gebhardt

00:27:22 Mr. Heiman, LSD

00:27:47 Sen. Story to Sen. Gebhardt

00:28:44 Mr. Heiman, LSD

**EXHIBIT (tas28b03)**

00:30:08 Sen. Gebhardt

00:30:50 Sen. Essmann to Sen. Gebhardt

00:31:53 Sen. Essmann

00:33:16 Sen. Story to Sen. Gebhardt

00:34:59 Sen. Kaufmann to Sen. Gebhardt

00:38:16 Sen. Story to Sen. Gebhardt

00:38:58 **No action was taken on SB 210**

**EXECUTIVE ACTION ON SB 231**

00:40:42 **Motion: SEN. STORY moved that SB 231 DO PASS.**

00:40:59 **Motion: SEN. PETERSON moved that SB 231 be amended with #SB023101.ALH.**

**EXHIBIT**(tas28b04)

00:41:54 **Motion: SEN. PETERSON moved that SB 231 be further amended with #SB023102.ALH.**

**EXHIBIT**(tas28b05)

**Discussion:**

00:43:17 Mr. Heiman, LSD

00:43:45 Sen. Peterson

00:44:16 Sen. Elliott

00:44:27 **Vote: Motion that #SB023101.ALH AND #SB023102.ALH DO PASS carried unanimously by voice vote. SEN. SCHMIDT voted aye by proxy.**

00:44:47 **Motion: SEN. PETERSON moved that SB 231 DO PASS AS AMENDED.**

**Discussion:**

00:45:05 Sen. Peterson

00:45:36 **Vote: Motion that SB 231 DO PASS AS AMENDED carried unanimously by voice vote. SEN. SCHMIDT voted aye by proxy.**

**EXECUTIVE ACTION ON SB 332**

00:46:25 Sen. Peterson to Sen. Elliott

**Discussion:**

00:47:08 Sen. Elliott

00:48:19 Sen. Gebhardt to Sen. Elliott

00:48:49 Sen. Peterson to Sen. Elliott

00:49:16 Sen. Essmann

00:49:35 Sen. Gebhardt to Sen. Essmann rereferred to Sen.  
Elliott

00:51:03 Sen. Peterson to Sen. Elliott

00:52:34 Sen. Essmann

00:53:24 Sen. Peterson to Sen. Elliott

00:54:53 Sen. Story

00:56:19 Sen. Elliott

00:56:37 Sen. Gillan to Sen. Elliott

00:57:12 Sen. Essmann

00:58:10 Sen. Kaufmann to Sen. Elliott

00:59:14 Sen. Peterson to Sen. Essmann

01:01:30 Sen. Elliott

01:02:08 Sen. Gillan to Sen. Essmann

01:03:13 Sen. Story to Sen. Essmann

01:04:33 Sen. Elliott

01:05:02 Sen. Peterson

01:05:57 Sen. Story

01:08:44 Sen. Gebhardt

01:09:41 **Motion:** SEN. KAUFMANN moved that SB 332 DO PASS.

**Discussion:**

01:10:02 Sen. Story

01:12:11 Sen. Kaufmann

01:12:37 Sen. Black

01:12:51 **Motion:** SEN. ESSMANN moved that SB 332 be amended with amendments #SB033203.ALH and #SB033201.ALH. Motion carried unanimously by voice vote. SEN. SCHMIDT voted aye by proxy.

[EXHIBIT](#)(tas28b06)

[EXHIBIT](#)(tas28b07)

01:13:24 **Motion/Vote:** SEN. KAUFMANN moved that SB 332 DO PASS AS AMENDED. Motion carried 7-4 by roll call vote with SEN. ESSMANN, SEN. GEBHARDT, SEN. PETERSON, and SEN. STORY voting no. SEN. SCHMIDT voted aye by proxy.

**EXECUTIVE ACTION ON SB 356**

01:15:32 **Motion:** SEN. GILLAN moved that SB 356 DO PASS.

01:18:17 **Motion:** SEN. GILLAN withdrew the DO PASS motion on SB 356.

01:18:33 **Motion:** SEN. ESSMANN moved that SB 356 be amended with #SB035601ALH. Motion carried unanimously by voice vote. SEN. SCHMIDT voted aye by proxy.

[EXHIBIT](#)(tas28b08)

**Discussion:**

01:19:34 Sen. Gillan

01:21:19 Sen. Elliott

01:21:43 Sen. Gebhardt

01:23:23 Sen. Essmann

01:23:51 Sen. Story

01:26:01 Motion/Vote: SEN. ESSMANN moved that SB 356 DO PASS AS AMENDED. Motion carried unanimously by voice vote. SEN. SCHMIDT voted aye by proxy.

**ADJOURNMENT**

Adjournment: 10:30 A.M.

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SEN. JIM ELLIOTT, Chairman

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LOIS O'CONNOR, Secretary

JE/lo

Additional Exhibits:

**EXHIBIT ([tas28bad.pdf](#))**